

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : International Application No.: PCT/EP99/08038
: :
Ruelle : I.A. Filing Date: 03 May 1999
: :
Serial No.: 09/674,779 : Priority Date: 06 May 1998
: :
For: BASB019 Proteins and Genes From :
Moraxella Catarrhalis, Antigens, :
Antibodies and Uses :

Commissioner for Patents
Box PCT
Washington, D.C. 20231
Attn.: Lamont Hunter
National Stage Processing

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE

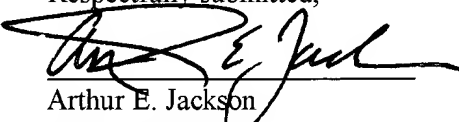
Sir:

In response to the communication from the Patent Office mailed 15 December 2000, entitled "Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office," enclosed is the Declaration and Power of Attorney for this application, plus the duplicate copy of the Notice to File Missing Parts of the Application form.

The \$130.00 surcharge for filing the missing parts of the application should be charged to Deposit Account No. 50-0258. Any overpayment or refund should be credited to Deposit Account No. 50-0258.

01/05/2001 UEDUVIJE 00000111 500258 09674779
01 FC:154 130.00 CH

Respectfully submitted,


Arthur E. Jackson
Registration No. 34,354
Attorney for Applicant

DECHERT
4000 Bell Atlantic Tower
1717 Arch Street
Philadelphia, PA 19103-2793
Fax: (609) 620-3259
Attn: Arthur E. Jackson, Esq.
(609) 620-3254

Docket No. BM45311
Serial No. 09/674,779

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this paper and the documents referred to as being transmitted therewith are being deposited with the United States Postal Service on this date January 3, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EK 295 393 950 US addressed to: Commissioner for Patents, Box PCT, Washington, D.C. 20231, Attn.: Lamont Hunter, National Stage Processing.

Colleen Hanagan

Colleen Hanagan

Signature of person mailing paper



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

U.S. APPLICATION NO. 7/7

RUELLE

FIRST NAMED APPLICANT

ATTY. DOCKET NO. 845311

5071

INTERNATIONAL APPLICATION NO.

PCT/EP99/05038

DECHERT

4000 BELL ATLANTIC TOWER

1717 ARCH STREET

PHILADELPHIA PA 19103-2793

I.A. FILING DATE

PRIORITY DATE

05/03/99

00/00/00

DATE MAILED:

12/15/00

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☐ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☒ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 06 NOV. 00 and _____.

☐ Information Disclosure Statement(s) filed _____ and _____.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____.

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 51 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed: ☐ PCT/DO/EO/917
☐ PTO-875

☐ Notice of Defective Translation

FORM PCT/DO/EO/905 (December 1997)

Telephone: (202) 306-3000

RECEIVED

DEC 18 2000

RJB